

## **CHAPTER 4    YOUTH EMPLOYMENT:    SUMMER YOUTH JOBS PROGRAM**

### **400        AUTHORITY**

- 400.1        These regulations are issued pursuant to §2(a), and (f) of the Youth Employment Act of 1979 (D.C. Law 3-46) approved November 9, 1979.

### **401        SCOPE AND PURPOSE**

- 401.1        These regulations implement §2(a)(1), Summer Youth Jobs of the Youth Employment Act of 1979.
- 401.2        It is the purpose of the Summer Youth Jobs Program to provide summer employment for District of Columbia youth between fourteen (14) and twenty-one (21) years of age. Youth employed in the Summer Youth Jobs Program pursuant to this Act shall be paid at an hourly rate equal to the Federal hourly minimum wage.

### **402        NON-DISCRIMINATION AND EQUITABLE SERVICES**

- 402.1        No person shall, on the grounds of race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, family responsibilities, physical handicap, matriculation, political affiliation or belief be discriminated against, or denied employment as a participant, administrator, staff-person, in connection with any program under the Act, except that where the Act specifies or limits the age range of the eligible population.
- 402.2        YES, the Department, Contractors, Vendors, Recipients, Sub-Recipients under the Act shall comply with the following laws:
- (a)    Human Rights Law, Title 34 of the District of Columbia;
  - (b)    Titles VI, VII of the Civil Rights Act of 1964;
  - (c)    The Equal Pay Act;
  - (d)    The Rehabilitation Act;
  - (e)    Title IX of the Education Amendments Act of 1972; and
  - (f)    Other applicable non-discrimination laws.

**402 NON-DISCRIMINATION AND EQUITABLE SERVICES (Continued)**

- 402.3 All programs, to the maximum extent feasible, shall contribute to the elimination of sex stereotyping. YES, in planning its program activities, shall do the following:
- (a) Recruit for, and encourage, female entry, through such means as training, into occupations with skill shortages where women represent less than twenty-five percent (25%) of the labor force;
  - (b) Recruit for, and encourage, male entry, through such means as training, into occupations with skill shortages where men represent less than twenty-five percent (25%) of the labor force; and
  - (c) Contribute to the maximum extent feasible to the removal of barriers to the mobility of the handicapped.
- 402.4 No person shall be denied training or employment in any program because of artificial barriers to employment.
- 402.5 YES shall analyze and re-evaluate job descriptions and qualification requirements at all levels of employment, including civil service requirements and practices relating thereto, with a view toward removing artificial barriers to employment.
- 402.6 Where tests or selection procedures have an adverse impact on any race, sex, or national origin group, the tests or selection procedures shall be validated as to job relatedness.
- 402.7 Tests or selection procedures which have been validated shall not be considered to be an artificial barrier to employment.
- 402.8 YES shall establish procedures to ensure against discrimination and foster equal employment opportunity.
- 402.9 YES shall assign EEO responsibility to an individual or staff, or if this is not practicable, explain why in the Master Plan.
- 402.10 Members of the eligible populations shall be provided maximum feasible opportunities for employment in the administration of programs, including staff positions in which they will have opportunities for occupational training and career advancement.
- 402.11 YES shall make special efforts to recruit and hire staff which will reflect the make-up of the population of the area by age, race, sex and national origin, and shall take corrective action if staff composition varies significantly from this goal.

#### **403 ELIGIBILITY FOR SUMMER JOBS FUNDS**

- 403.1 The District of Columbia Department of Employment Services shall be eligible to receive funds under the Act in order to provide meaningful employment and training opportunities through a Summer Youth Jobs Program for young persons fourteen (14) through twenty-one (21) years of age who are domiciliaries of the District of Columbia.
- 403.2 Funds available to the District of Columbia Department of Employment Services under the Act, shall be committed, allocated and expended according to a General Plan developed and approved pursuant to §§406 and 407 of these regulations.
- 403.3 No funds shall be used to pay fees charged to an individual for the placement of that individual in a training or employment program under the Act.
- 403.4 All recipients, contractors and program components shall comply with applicable Federal, State and Local Child Labor Laws.

#### **404 PLANNING AND ADVISORY COUNCILS**

- 404.1 YES shall utilize in the planning and implementation phase, a Youth Employment Advisory Council, Board or Commission or an advisory body established by the Department for the purpose of assuring the advisory contributions of representatives of major sectors of the community served YES including the following:
- (a) Private for profit;
  - (b) Community based organizations;
  - (c) Public agencies;
  - (d) Educational institutions;
  - (e) Organized labor;
  - (f) Churches;
  - (g) Independent professionals;
  - (h) Non-professionals; and
  - (i) Youth, etc.



**BASIC PROGRAM DESIGN PROVISIONS**

405.1 The YES Program shall do the following:

- (a) Provide services to those eligible members among the youth population within the Department's jurisdiction, taking into account any priorities identified by the YES Director. The services shall be provided on an equitable basis considering the distribution of eligible youth within the Department's jurisdiction;
- (b) Design programs which provide quality work experiences and to the extent feasible are consistent with each participant's interests and capabilities;
- (c) Develop outreach and recruitment techniques aimed at all segments of the eligible youth population including school drop-outs, youth not likely to return to school without assistance from the summer program, youth who are confronted or are likely to be confronted with significant employment barriers related to work attitude, aptitude, social adjustment, basic social skills and other such factors;
- (d) Provide labor market orientation to all participants;
- (e) Minimize YES costs through development of co-operative relationships with other community resources so that YES activities, worksite supervision, placements, etc., are provided at no cost or minimum cost; and
- (f) Make efforts to encourage local educational agencies to award credit (academic and/or work study) and where appropriate to facilitate re-enrollment of out-of-school participants.

**YES GENERAL PLAN DESCRIPTION**

- 406.1 The Director shall submit a YES General Plan to the Mayor. The Mayor may conditionally approved the Plan subject to final resolutions of any comments received during the comment and publication period.
- 406.2 The Mayor shall approve or disapprove the YES General Plan using the procedures set forth in §407.
- 406.3 The YES General Plan shall consist of the following items, including but not limited to the following:
- (a) Approval Request Letter;

**406 YES GENERAL PLAN DESCRIPTION (Continued)**

**406.3 (Continued)**

- (b) Narrative description which contains the following:
  - (1) A statement of the problem and objectives;
  - (2) Special conditions affecting the eligible population and labor market;
  - (3) A statement of results and benefits accruing to participants; and
  - (4) A description of the preferred worksite including a copy of a representative worksite agreement;
- (c) Descriptions of training, work experience and orientation component for participants, worksite supervisors and other worksite personnel, and administrative staff with respect to their responsibilities under the Plan;
- (d) Methods used to recruit, select, and verify eligibility of YES participants;
- (e) Description of special components, e.g., Vocational Exploration Program (VEP), special skills development activities, etc.; and
- (f) Management and Administration as follows:
  - (1) Organizational structure, personnel requirements, and staff responsibilities;
  - (2) Program monitoring and evaluation process;
  - (3) Budget allocations, requisite payment schedule, contracted services and other funding requirements; and
  - (4) Submission of Interim and Final Reports to the Mayor.

**407 YES GENERAL PLAN APPROVAL PROCESS**

**407.1** The Department shall submit for the Mayor's approval by a date set by the Mayor, a YES General Plan.

**407.2** The Mayor shall approve or disapprove the General Plan after determining if it meets the following requirements:

- (a) It is complete and achieves the intent and requirements of the Act;

**407 YES GENERAL PLAN APPROVAL PROCESS (Continued)**

**407.2 (Continued)**

- (b) The Department's performance and placement goals are adequate with respect to local conditions and the nature of employment barriers faced by the eligible population; and
- (c) The Plan is designed to implement an effective and well administered program in light of past program performance, available resources, and recommendations, made by appropriate advisory sources.

**407.3** If an appropriate advisory source has recommended rejection of the Plan or parts of the Plan because it conflicts with or duplicates other city-funded or city assisted projects, the Director shall, after appropriate consultation, take action on the Plan or contested part of the Plan prior to re-submission for approval if warranted.

**407.4** If the Plan is disapproved fully, partially or conditionally approved, the Mayor shall notify the Director with the following information:

- (a) The reasons for disapproval;
- (b) Corrective steps needed to remedy identified defects within a specified time; and
- (c) A revised schedule and deadline for approval process.

**407.5** If the Plan is approved, the Mayor shall issue a letter of approval to the Director along with a notice of funding availability.

**408 STAFF AND PERSONNEL STANDARDS**

**408.1** Methods of personnel administration shall be established and maintained in conformity with applicable District of Columbia laws and agency regulations.

**408.2** Recipients which are not units of the government of the District of Columbia are not subject to the requirements of §407.4(a), except that they may be required to meet training, orientation, and supervisory personnel criteria established by YES.



**408 STAFF AND PERSONNEL STANDARDS (Continued)**

- 408.3 All recipients shall ensure equal employment opportunity based on objective personnel policies and practices for recruitment, selection, promotion, classification, compensation, performance evaluation, and employee-management relations.
- 408.4 Sub-recipients may be asked to demonstrate adherence to the objectives of §408.3 in a manner and for purposes deemed by the Department to be consistent with the policies governing use and allocation of YES funds.

**409 WORKSITE STANDARDS AND WORKSITE AGREEMENT**

- 409.1 No participants under eighteen (18) years of age shall be employed in any occupation which the Director or YES Director has found to be hazardous for persons between fourteen (14) and eighteen (18) years of age.
- 409.2 Participants who are fourteen (14) and fifteen (15) years of age shall participate only in accordance with the limits imposed by the Fair Labor Standards Acts.
- 409.3 The Worksite Agreement shall do the following:
- (a) YES shall develop a written agreement with each worksite employer which assures:
    - (1) Adequate supervision of each participant;
    - (2) Adequate accountability for participant time and attendance; and
    - (3) Adherence to rules and regulations governing YES; and
  - (b) The written agreements shall indicate an estimated number of participants at the worksite and any operational conditions to which the worksite is expected to adhere.
- 409.4 No participant fourteen (14) or fifteen (15) years of age shall be required to work more than twenty (20) hours per week.
- 409.5 No participants sixteen (16) to twenty-one (21) years of age shall be required to work more than twenty-five (25) hours per week.
- 409.6 The restrictions in §§409.4 and 409.5 are not intended to and shall not deprive the Department of its flexibility in developing jobs in keeping with the needs of the area and the youth to be served.

## **410 ELIGIBILITY FOR PARTICIPATION**

410.1 At the time of enrollment, each youth participant shall meet the following requirements:

- (a) Be fourteen (14) through twenty-one (21) years of age inclusive; and
- (b) Be a resident of Washington, D.C.

## **411 PARTICIPANT INTAKE AND ASSESSMENT**

411.1 YES staff at the time of intake shall assess every individual to determine the person's interest and eligibility and decide whether YES can provide those services or activities enabling participants to obtain meaningful summer employment.

411.2 In determining who shall be enrolled, YES shall establish appropriate mechanisms to ensure that employment and training activities available through appropriated funds are provided to those most in need.

411.3 Each participant's progress toward acquiring basic employability skills shall be monitored and assessed by YES.

## **412 PARTICIPANT COMPENSATION, BENEFITS AND WORKING CONDITIONS**

412.1 YES and participating employers shall provide participant benefits, wages and allowances in parity with the benefits, wages and allowances permitted under the Comprehensive Employment and Training Act of 1973.

412.2 Participants enrolled in vocational exploration activities shall be compensated as described in §412.1.

412.3 Except as provided for in §412.1, participants receiving public assistance may receive funds in addition to their work incentive allowance for participating in vocational exploration program activities; Provided, that the participant's total allowances (the incentive plus additional funds) do not exceed the basic allowances paid to other participants.

412.4 In determining the total payment to each participant, YES shall insure that no individual shall receive an amount in compensation, benefits and/or allowances which would result in a net loss to the youth or the youth's family in public assistance benefits.



## **413 REPORTING REQUIREMENTS**

**413.1** The Department shall submit to the Mayor the following reports:

- (a) The YES status summary including participant characteristics as of July 30, and August 30, 1980 components (e.g., Vocational Exploration Program (VEP) shall be included in this report); and
- (b) The YES Financial Status Report as of July and August 30, (Special/Component Financial Reports shall be included).

**413.2** Reports in this section shall be submitted to the Mayor no later than fifteen (15) days after the end of the report period.

## **414 MONITORING PROCEDURES AND INDEPENDENT SUMMER YOUTH EMPLOYMENT EVALUATION UNIT (YEEU)**

**414.1** As part of its internal program management procedures, YES shall establish a monitoring unit which shall be independent of, and not accountable to any unit being monitored. This unit shall report to the YES Director to ensure adequate monitoring coverage and appropriate action of findings and recommendations.

**414.2** Organizationally, the YEEU shall be positioned to assure its objectivity, and to facilitate its access to information necessary to discharge its responsibilities without conflict of interest.

**414.3** The Youth Employment Evaluation Unit (YEEU) shall monitor and review all program activities, services, program administration and management and fiscal practices supported with funds disbursed under the Act.

**414.4** Areas to be monitored include the following:

- (a) Review of systems controlling program administrations;
- (b) Control, maintenance and computational systems for time, attendance, pay records and fiscal operations to ensure efficiency and prevention of abuse;
- (c) Inspection of worksites and worksite conditions;
- (d) Reviewing plans, procedures and contractor/employer's capability to carry out programs and activities; and
- (e) Monitoring contractor/employer maintenance of records on all expenditures of appropriated funds;

**414 MONITORING PROCEDURES AND INDEPENDENT SUMMER YOUTH EMPLOYMENT  
EVALUATION UNIT (YEEU) (Continued)**

- 414.5 The Youth Employment Evaluation Unit (YEEU) shall do the following:
- (a) Make recommendations to the YES Director for corrective action whenever it identifies non-compliance with the Act, relevant contracts and agreements, worksite agreement, local, federal or other applicable regulations;
  - (b) Document its monitoring and review activities, the findings resulting there from and any recommendations made for corrective action; and
  - (c) Maintain records of the Department's and YES replies to its monitoring reports and recommendations.
- 414.6 The YES Director shall review all monitoring reports submitted by the YEEU, acknowledge receipt thereof and respond to the YEEU with respect to the action taken as planned in response to YEEU recommendations.
- 414.7 The YES Director may require contractors/employer's to establish certain monitoring procedures, including a Youth Employment Evaluation Unit to ensure compliance with the following terms:
- (a) The Act and this chapter;
  - (b) The provisions of relevant sub-agreements; and
  - (c) Relevant local, federal laws and ordinances.
- 414.8 Nothing in this section shall be interpreted as prohibiting the monitoring and review of any component of the YES Program by the Director, his or her designee(s), or the Youth Employment Evaluation Unit.

**415 INVESTIGATIONS AND COMPLAINTS**

- 415.1 Investigations may be initiated upon the request of any person, organization or by the Department on its own initiative.
- 415.2 Complaints may be brought by any individual or organization including, but not limited to, program participants, employers, contractors, staff of the employer, applicants for participation, labor unions, and community based organization.
- 415.3 With the exception of complaints alleging fraud, forgery or other criminal activity, the filing of a complaint shall be made within ten (10) days of the alleged occurrence.

**415 INVESTIGATIONS AND COMPLAINTS (Continued)**

- 415.4 Participants shall be provided upon enrollment into YES employment or training, a written description of the complaint procedures, including notification of their right to file a complaint and instructions on how to do so.
- 415.5 The complaint resolution procedure shall include the following:
- (a) Opportunity to file a complaint. All complaints shall be in writing;
  - (b) Opportunity for informal resolution of the complaint;
  - (c) Written notification of an opportunity for a hearing when an informal resolution has not been accomplished. This notice shall state the procedures for requesting a hearing and shall describe the elements in the hearing procedures including those set forth in §415(f);
  - (d) Opportunity to amend the complaint prior to a hearing;
  - (e) Opportunity for a hearing pursuant to §415(f) within twenty (20) days of filing the complaint; and
  - (f) A final written decision to the complaint which shall be made within thirty (30) days of the filing of the complaint and shall include the following:
    - (1) The reason(s) for the decision; and
    - (2) A statement that the procedures delineated in this section have been completed.
- 415.6 A hearing, when requested, shall be provided within twenty (20) days after filing a complaint. The hearing procedure shall include the following:
- (a) Written notice of the date, time and place of the hearing, the manner in which it will be conducted, and the issues to be decided;
  - (b) Opportunity to withdraw the request for hearing in writing before the hearing;
  - (c) Opportunity to request rescheduling for good cause;
  - (d) Opportunity to be accompanied by a representative;
  - (e) Opportunity to bring witnesses and documentary evidence;
  - (f) Opportunity to have relevant documents produced by YES or its components;



**415 INVESTIGATIONS AND COMPLAINTS (Continued)**

415.6 (Continued)

- (g) Opportunity to question witnesses;
- (h) The right to an impartial hearing officer selected by the YES Director; and
- (i) A written decision from the hearing officer, which shall include a summary of facts, rationale for the decision and a statement of remedies to be applied.

415.7 Appeals from decisions of the Hearing Officer may be filed with the YES Director.

415.8 Whenever the YES Director receives a request for an investigation or a complaint it shall be investigated if it alleges that any person, participant, employer or contractor is failing to comply with the requirements of the Act, a derivative agreement, these regulations, or appropriate local or federal laws and regulations.

415.9 The investigations shall be completed and conclusion made within twenty (20) days after the request is filed.

415.10 The YES Director may not allow more than twenty (20) additional days if additional time is needed to complete the matter.

415.11 No extension shall relieve the Hearing or Investigation Officer from making his or her final determination within forty (40) days after the filing of a complaint or request for investigation.

415.12 If the YES Director, Hearing or Investigation Officer determines that a complaint, an investigation or testimony involves criminal activity which may violate the laws of the District of Columbia, the United States or other jurisdiction, the determination shall be communicated directly to the Director of the Department by the Director of YES for action by the appropriate law enforcement agency.

415.13 Nothing in this section shall prohibit the following requirements:

- (a) YES from requiring that a system of grievance processing and a just adjudication of complaints be implemented by employers for the use of participating youth; and
- (b) Participating youth from filing a complaint or request for investigation with the Office of the Director.

**415 INVESTIGATIONS AND COMPLAINTS (Continued)**

- 415.14 Records of all investigations, hearings, complaints, and requests for investigation shall be maintained in the Office of the Director of YES.

**416 POLITICAL PATRONAGE**

- 416.1 No recipient, contractor, program component may select, reject or promote a participant based on that individual's political affiliation or beliefs. The selection or advancement of employees as a reward for political services or as a form of political patronage is prohibited.
- 416.2 There shall be no selection of participants, YES employees, contractors, vendors, sub-recipients based on political patronage or affiliation.

**417 POLITICAL ACTIVITIES**

- 417.1 No program or component may involve political activities.
- 417.2 No participant may engage in partisan political activities during hours for which the participant is paid with funds provided by the Act.
- 417.3 No participant may be employed or out-stationed in the Office of a Member of Congress or a State or local legislator or on any staff of a legislative committee.
- 417.4 Except as provided for in §417.3, the YES Director may approve, if documentation is submitted attesting to the non-political nature of the position, a position which is technically in an office but the program activities of that position is not in any way involved in the political functions of that office.

**418 PREVENTION OF FRAUD AND PROGRAM ABUSE**

- 418.1 For purposes of this section, "Fraud" includes knowing or the reckless misrepresentation of facts which induces reliance on such misrepresentation to the detriment of a second party, particularly those misrepresentations affecting the use, expenditure, receipt of or entitlement to funds made available by the Act.

**418        PREVENTION OF FRAUD AND PROGRAM ABUSE        (Continued)**

- 418.2        For purposes of this section, "abuse" encompasses any improper conduct in violation of YES Program interests, agreements, controlling policies, regulations, or statutes which may or may not constitute fraud.
- 418.3        All administrators, participants, recipients, sub-recipients, members of councils, Advisory Boards, shall avoid personal conflict of interest and appearance of conflict of interest in the allocation of funds and in the conduct of contracting/procurement activities involving funds provided under the Act.
- 418.4        No funds shall be paid to any non-District or Federal individual, institution or organization to conduct an evaluation of any program or component if the individual, institution or organization is associated with that program or component as a consultant, technical advisor, employee or other compensable capacity.
- 418.5        No officer, employees, or agent of YES or any recipient or sub-recipient shall solicit or accept gratuities, favors or anything of monetary value from any actual or potential youth participant, contractor, vendor or sub-recipient.
- 418.6        Strict accounting procedures shall be utilized to maintain the discretion and integrity of various finding codes, sources and accounts of monies provided under the Act.

**419        LOBBYING ACTIVITIES**

- 419.1        No funds provided under the Act may be used to influence a Member of Congress, a State or local legislator or elected official to favor or oppose any legislation or appropriation of the legislators.
- 419.2        Communications and consultation with State and local legislators or elected officials for purposes of providing information, such as matters necessary to provide compliance with the Act, shall not be considered lobbying.

**420        SECTARIAN ACTIVITIES**

- 420.1        Participants shall not be employed to construct, operate, or maintain any facility used for sectarian instruction or religious worship.
- 420.2        Neither participant nor funds shall be involved in religious or anti-religious activities.



**421        UNIONIZATION AND ANTI-UNIONIZATION ACTIVITIES**

- 421.1        Neither participants nor funds shall be used to either promote or oppose unionization.
- 421.2        No individual shall be required to join a union as a condition for enrollment in a program, unless the individual is employed under a collective bargaining agreement containing a union security provision.
- 421.3        Participants working in any position affected by a labor dispute involving a work stoppage shall be re-located to positions not affected by the dispute suspended through administrative leave or treated as any other union member, except that the members shall not remain working in the affected position.
- 421.4        YES shall make every effort to re-locate participants who wish to continue working, into suitable positions unaffected by the work stoppage.
- 421.5        No participant shall be referred to or placed in an on-the-job training position affected by a labor dispute involving a work stoppage and no payments may be made to employers for the training and employment of participants in on-the-job training during the periods of work stoppage.
- 421.6        Nothing in this section shall prevent an employer from checking off union dues or service fees if required by applicable collective bargaining agreements or state law.

**422        THEFT, EMBEZZLEMENT, IMPROPER INDUCEMENT, OBSTRUCTION OF INVESTIGATION AND OTHER CRIMINAL PROVISIONS**

- 422.1        Any individual who works with any agency or employer in any capacity and receives monies, funds, assets or property under the Act shall be subject to the full prosecution and penalties of the laws or policies of the Government of the District of Columbia, its law enforcement agencies or any other appropriate agency or jurisdiction, and may be held criminally liable under any applicable local, state or federal law, if it is determined that the agency or employer did any of the following:
- (a)        Knowingly hired an ineligible individual or individuals, embezzled, willfully mis-applied, stole or obtained by fraud any of the monies, funds, assets, or property under the Act;
  - (b)        Refused to renew employment or threaten dismissal of a person from employment;

**422 THEFT, EMBEZZLEMENT, IMPROPER INDUCEMENT, OBSTRUCTION OF INVESTIGATION AND OTHER CRIMINAL PROVISIONS (Continued)**

**422.1 (Continued)**

- (c) Induced any person to give up any money or thing of value to another person; or
- (d) Willfully obstructed or impeded, or endeavored to obstruct or impede, an investigation or inquiry under the Act or these regulations.

**422.2** Individuals may not directly or indirectly promise any employment, position, compensation, contract appointment or other benefit, provided for or made possible in whole or in part by funds under the Act.

**422.3** Individuals may not directly or indirectly promise any special consideration in obtaining any benefits to any person as consideration, favor or reward for any political activity or for the support of, or opposition to, any candidate or any political party in connection with any general or special election with any primary election or political convention or caucus held to select candidates for any political office.

**422.4** Individuals may not directly or indirectly knowingly cause or attempt to cause any person to make a contribution of a thing of value (including services for the benefit of any candidate or any political party, by means of the denial or deprivation of any employment or benefits funded under the Act).

**422.5** YES shall establish and use internal program management procedures sufficient to prevent fraud and program abuse.

**422.6** Each recipient, contractor, vendor, sub-recipient, program component shall ensure that sufficient, auditable, and otherwise adequate records are maintained with support and record the expenditure of all funds under the Act.

**422.7** The records shall be sufficient to allow the YES Director, the Youth Employment Evaluation Unit, and other appropriate agency to audit and monitor the respective programs and shall include the maintenance of the management information system.

**423 TERMINATION DATE AND PROCESS FOR THE SUMMER PROGRAM**

**423.1** Participants shall not be enrolled in program activities beyond September 30. However, in no event may a participant work, full time in YES after the beginning of his or her school year.

**423      TERMINATION DATE AND PROCESS FOR THE SUMMER PROGRAM**  
(Continued)

**423.2**    Allowable activities after September 30 under the funds appropriated for the previous year include the following:

- (a) Report and record preparation and submittal; and
- (b) Completion of evaluation and assessments of the summer program and audits.



499.1 When used in this chapter, the following terms shall have the meanings ascribed:

**Academic Credit** - for education, training or work experience applicable toward a secondary school diploma, post secondary degree or accredited certificate of completion consistent with applicable laws, policies, and requirements of an accredited educational agency or institution.

**Act** - Youth Employment Act of 1979 (D.C. Act 3-146) approved November 9, 1979.

**Artificial Barriers to Employment** - limitations (age, sex, race, national origin, parental status, credential requirements, criminal record, lack of child care, physical or mental status and absence of part-time or alternative working patterns/schedules) in hiring, firing, promotion, licensing, and conditions or employment which are not directly related to an individual's fitness or ability to perform the tasks by the job.

**Community Based Organization** - a private non-profit organization which is representative of the community or a significant segment of a community, and which the Department, a recipient or a sub-recipient pays for property, services, supplies, materials or equipment.

**Contract** - a procurement instrument by which the department, a recipient, or a sub-recipient pays for property, services supplies, materials or equipment.

**Contractor** - any person, corporation, partnership, public agency, or other entity which enters into a contract with the DES, a recipient or sub-recipient under the Act.

**Department** - the District of Columbia Department of Employment Services (DOES), including its agencies and organizational units.

**Employing Agency** - any public or private profit or non-profit employer which employs youth participants and which establishes and maintains the standards applicable to those participants covering such areas as wages rates, fringe benefits, job titles, and employment status.

**Entry Level** - the lowest position in any promotional line, as defined locally by D.C. Personnel regulations, past practices, and collective bargaining agreements.

**Family** - one (1) or more persons living in a single residence who are related to each other by blood, marriage or adoption. A step-child or a step-parent shall be considered to be related by marriage. The following description applies:

**499**        **DEFINITIONS**    (Continued)

**499.1**     (Continued)

- (a) For purposes of this chapter, one (1) or more persons not living in single residence but who were claimed as a dependent on another person's Federal Income Tax return for the previous year shall be presumed, unless otherwise demonstrated part of the other person's family; and
- (b) Whether living in the residence or not, a handicapped individual who is sixteen (16) years of age or older may be considered a family of one (1) when applying for programs under the Act.

**Handicapped Individual** - any person who has a physical or mental disability which constitutes a substantial barrier to employment and can benefit from YES Services.

**In-school youth** - a person fourteen (14) to twenty-one (21) who meets the following requirements:

- (a) Is currently enrolled full-time in and attending a secondary, trade, technical, vocational school or junior or community college or is scheduled to attend full-time the next regularly scheduled quarter or semester of any of these schools;
- (b) Has not completed high school and is scheduled to attend or is attending, on a full-time basis, a program leading to a secondary school diploma or its equivalent. Full-time may be defined by the requirements of the agency administering the program.

**Participant** - an individual who is as follows:

- (a) Declared eligible upon intake; and
- (b) Receiving employment, training or services (except post-termination services) funded under the Act following intake.

**Placement** - the act of securing employment for or by a participant.

**Public Assistance** - Federal, State or Local Government cash payments for which eligibility is determined by a need or income test.

**Recipient** - person, firm, organization, private for profit or non-profit enterprise, which receives funds from the Department and YES to perform substantive work or provide services under the Act (employment, training, supportive services, etc.).

**YES** - Youth Employment for the Summer, Office of the District of Columbia Department of Employment Services (DC-DOES), authorized to implement the provisions of the Youth Employment Act of 1979, §2(a)(1) Summer Youth Jobs Programs.

